

Appl. No. 10/820,568  
Amdt. dated 8/30/2005

### REMARKS

Applicant files this paper to request withdrawal of the reasons for allowance set forth on page 2 of the Notice of Allowability.

Applicant objects to and disagrees with such statements as including language not included in Applicant's claims. The patent statutes require claims to be presented and interpreted in accordance with what the Applicants regard as their invention. Accordingly, the claims must be read as Applicants regard them (as they are worded). The statements as currently worded might be interpreted later as reading limitations into Applicants claims which simply are not there.

In particular, the reasons for allowance differ from language appearing in Applicant's claim 50. More specifically, the increasing defined in claim 50 recites *increasing a voltage across a portion of the cell including two power electrodes* and the monitoring defined in claim 50 recites monitoring a current through the power electrodes. Claim 52 specifically recites that in one embodiment the increasing comprises lowering a voltage impressed *on a source of the second transistor*. Claim 54 recites increasing comprises *reducing a potential applied to a row address line*. Claim 55 recites the increasing comprises increasing a gate-source voltage of the NMOS transistor to a value that is less than a threshold of the NMOS transistor.

Applicant regards aspects of his invention as defined by the claims. MPEP 1302.14 (8<sup>th</sup> ed., rev. 2) states, in part, that where specific reasons are recorded by the

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*examiner, care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims.* MPEP 1302.14 further provides that the examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.


In accordance with the above, the Examiner must interpret the claims in accordance with their literal wording, and to the extent the Examiner has not already done so, such is mandated now. If the Examiner relies upon allowance based upon language not appearing in the claims, the Examiner must reject the claims and suggest insertion of such language. Then, Applicants can respond as they deem appropriate.

Allowance of the claims as literally worded is urged. If no additional claim rejections are hereafter presented by the Office, the prosecution history of this application is to be interpreted as if the statement never existed or was withdrawn. If the Examiner disagrees with this just stated position, claim rejections are mandated before issuance of the patent.

The undersigned is available at 509-624-4276 if the Office believes a telephone discussion would be beneficial to the prosecution of the present application.

Respectfully submitted,

Dated: 8/31/05

By:   
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